



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

MEETING MINUTES OF MAY 7, 2007

1. CALL TO ORDER; ROLL CALL

Chair Gingles called the meeting to order at 4:01 p.m.

Roll was called with Regular Commissioners Inman, Kelly, Wagenknecht, and Chair Gingles present. Alternate Commissioners Coffey, Luce (*voting*), and Rodeno were also present.

Absent: Commissioner Dodd.

Staff present: Keene Simonds, Executive Officer; Tracy Geraghty, Analyst; Jackie Gong, Commission Counsel; and Kathy Mabry, Commission Secretary.

2. PLEDGE OF ALLEGIANCE

Chair Gingles led the salute to the flag.

3. APPROVAL OF MINUTES: Minutes of April 2, 2007 Meeting

The Commission was presented with minutes from the April 2, 2007 meeting for approval. Upon motion by Commissioner Wagenknecht and second by Commissioner Kelly, the minutes were approved. (Commissioner Luce abstained from voting because he was not present at the April 2, 2007 meeting).

4. PUBLIC COMMENT

Chair Gingles invited members of the audience to provide public comment. No comments were received.

5. CONSENT CALENDAR

a) *McCormick Lane No. 3 District Annexation to the Napa Sanitation District*

The Commission considered an application by the affected property owners to annex approximately 0.72 acres of incorporated territory to the Napa Sanitation District. The subject territory is identified by the County of Napa Assessor's Office as 050-292-024 and 050-292-025.

b) **Amendment to Policy for the Performance Review of the Executive Officer**

The Commission considered an amendment to its policy to coordinate the Executive Officer's eligibility for salary increases with his periodic evaluations.

c) **Third Quarter Budget Report for Fiscal Year 2006-2007**

The Commission received a third quarter budget report for the 2006-2007 fiscal year.

* Upon motion by Commissioner Wagenknecht and second by Commissioner Kelly, the consent calendar items were approved (5a assigned Resolution No. 07-12).

6. PUBLIC HEARING ITEMS

No public hearing items were scheduled.

7. COMMISSION ACTION ITEMS

a) Adopted Fee Schedule: Comprehensive Update

Staff provided the Commission with an overview of a proposed comprehensive update to LAFCO's adopted fee schedule. Staff stated that the underlying aim of the update is to retain the positive aspects of the current fee schedule while employing greater cost-recovery practices. Staff noted that the proposed update is based on a new hourly staff rate of \$90 identified in the written report as Option "A", which has been calculated to recover LAFCO's labor and overhead costs with respect to processing proposals. In response to a question from Commissioner Kelly, Commission Counsel informed the Commission that the implementation of the proposed update would be 60 days from adoption pursuant to state law. Commissioner Kelly stated that he was interested in extending the effective date of the proposed update to 90 days. Upon motion by Commissioner Wagenknecht and second by Commissioner Kelly, the Commission identified Option A as the preferred hourly staff rate. The Commission also directed staff to circulate the proposed fee schedule under Option A to all local agencies and interested parties, and schedule a public hearing for the final review and adoption for June 4, 2007.

b) Comments on the County of Napa's Draft General Plan Update and Draft Environmental Impact Report

Staff provided an overview of a draft comment letter prepared by LAFCO staff regarding the County of Napa's Draft General Plan Update and Draft Environmental Impact Report. Staff stated that the draft comment letter focuses on new land use policies proposed in the Draft General Plan Update that may trigger the need for new or elevated public services. Commissioner Coffey commented that the letter is premature and that Commissioners were not given an opportunity to review the documents prior to the meeting. Chair Gingles invited members of the audience to address the Commission. Bill Ross, Attorney for the City of American Canyon, spoke and provided the Commission with a letter dated May 7, 2007 requesting that LAFCO consider expanding the scope of the letter to address potential impacts to the City of American Canyon. Leon Garcia, Mayor of the City of American Canyon, also spoke read into the record his letter dated May 7, 2007 addressing the concerns of the City regarding the draft comment letter. Hillary Gitelman, Napa County Planning Director, spoke and addressed some of the issues raised by representatives from American Canyon. Following public comments, Chair Gingles commented that many of the issues raised by American Canyon should be brought before the County Board of Supervisors. Commissioner Inman expressed concern regarding the use of the word "satisfactory" in the draft comment letter in describing the adequacy of the Draft Environmental Impact Report. Commissioner Rodeno commented that it is important that the County specify when a proposed action drawn from the General Plan would require LAFCO action. Commissioner Coffey made a request, and Chair Gingles agreed, that all relative documents submitted to the Commission for review at LAFCO meetings be submitted prior to 72 hours before the meeting to allow ample time for review. The Commission directed staff to return with the draft comment letter at its June 4, 2007 meeting, thereby providing staff an opportunity to consider the comments made at the meeting.

8. COMMISSION DISCUSSION ITEMS

a) Growth and Development Trends

Staff provided the Commission with an overview of a report evaluating recent and projected growth trends in the City of Napa. Staff noted that the report is in draft-form and that future phases will include reviewing growth and development trends involving the five other land use authorities in Napa County. Commissioners Kelly and Wagenknecht expressed their appreciation to staff for preparing this report.

8. COMMISSION DISCUSSION ITEMS, CONTINUED...

b) Biennial Strategic Workshop

Staff notified the Commission of its practice to schedule a public workshop every two years to discuss its goals and objectives as well as address specific topics of interest. Following Commission discussion of potential topics, staff commented that they will survey Commissioners with respect to their availability to hold a workshop in July.

c) Report from the CALAFCO Legislative Committee

Staff provided the Commission with a verbal report regarding the current and planned activities of the CALAFCO Legislative Committee.

9. EXECUTIVE OFFICER REPORT

Staff provided the Commission with an oral report from the Executive Officer regarding the following items:

- **2007-2008 Budget** - Staff reported that the Commission will consider a final budget as part of its June 4, 2007 meeting. Staff added that the review period on the proposed budget adopted by the Commission at its April 4, 2007 meeting ends May 21, 2007.
- **California Government Code 56133** – Staff reported that it continues to work on policy language for future consideration by the Commission relating to LAFCO's role under California Government Code 56133 in south Napa County.
- **American Canyon Fire Protection District Sphere of Influence Review** - Staff reported that it is currently working on a sphere of influence update for the American Canyon Fire Protection District. With the permission of the Chair, American Canyon Fire Protection District Chief Keith Caldwell spoke to the Commission and expressed concern regarding a recent letter prepared by the County of Napa regarding LAFCO's sphere review of the District. Chief Caldwell stated that he may follow up with his own letter addressing some of the comments raised in the County's letter.
- **CALAFCO Workshop** – Tracy Geraghty reported back to the Commission regarding her attendance at the recent CALAFCO Workshop in Newport Beach, California.

10. INFORMATION ITEMS

a) Current Proposals

The Commission received a written report from staff regarding the current status of active proposals on file with LAFCO.

b) Circle Oaks County Water District

The Commission received a written report from staff regarding the recent activities of the Circle Oaks County Water District. Staff announced that the District recently lifted its moratorium on new sewer service connections, marking the first time since 2000 that the District has not operated under a service moratorium.

11. CLOSED SESSION

There was no closed session.

12. COMMISSIONER COMMENTS; REQUEST FOR FUTURE AGENDA ITEMS

There was no discussion of this item.

13. ADJOURNMENT

The meeting was adjourned at 5:22 p.m. The next regular LAFCO meeting is scheduled for Monday, June 4, 2007 at 4:00 p.m.

Jack Gingles, Chair

ATTEST: Keene Simonds
Executive Officer

Prepared by:

Kathy Mabry
Commission Secretary